

NORTH WHATCOM FIRE AND RESCUE

FIRE DISTRICT POLICY

Number: 0400.0405.01

Date: 11/15/11

Area: Personnel Management

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Subject: Discipline

Approved:

0400.0405.01

1.0 General

It is important that all employees follow basic rules of conduct to ensure orderly operations and to maintain a safe, healthy work environment.

2.0 Purpose

The purpose of this policy is to describe the basic rules of conduct and to outline the procedures for disciplinary action.

3.0 Scope

The basic rules of conduct and disciplinary policy shall apply to all members of the fire district including employees and volunteers. Supervisors shall be responsible for the discipline of employees under their supervision as needed. The Assistant Chief shall be responsible for disciplinary investigations.

4.0 Policy

4.1 Definitions

Basic Rules of Conduct: Generally accepted appropriate behavior.

4.2 Basic Rules of Conduct

4.2.1 All employees shall follow basic rules of conduct. It is expected that employees conduct themselves in an appropriate manner and uphold the highest standards of ethical and appropriate conduct. Examples of violations of the basic rules which could result in disciplinary action include:

- Disrespectful conduct toward a manager or person-in-charge
- Making malicious, false or derogatory statements that may damage the integrity or reputation of the District or its employees
- Lying, or deliberately withholding the truth
- Deliberate or willful violation of NWFR's equal employment opportunity policies
- Excessive lateness or absenteeism
- Acts of violence, implied or direct, whether in the workplace or elsewhere

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- Possession of dangerous or unauthorized materials in the workplace, such as explosives or loaded firearms
- Unauthorized disclosure of information contained in personnel, client, patient, or other NWFR records
- Failure to report for work as scheduled
- Misuse of company work time
- Unauthorized endorsement using NWFR's name without expressed prior approval of the Fire Chief
- Violation of safety rules and/or failure to properly use safety equipment or gear

4.3 Disciplinary Action

- 4.3.1 In correcting inappropriate behavior, the Fire District believes in a progressive discipline system which, depending on the severity of any inappropriate behavior, will include verbal counseling and written warnings, written reprimands, probation, suspension, demotion and discharge.
- 4.3.2 The District will evaluate the conduct of the employee and the circumstances of the incident to determine what level of discipline is appropriate.
- 4.3.3 Certain conduct may be of such a serious nature that to resort to a progressive discipline approach is inappropriate. Conduct falling in this category, depending on its severity, may include:
- Felony convictions
 - A serious and willful breach of patient confidentiality
 - Patient abuse
 - Theft
 - Abuse, destruction or theft of NWFR property or the property of other employees or clients
 - Fighting
 - Violation of the District's harassment or discrimination policies
 - Fraud
 - Falsification or unauthorized altering of records, applications, time sheets, client records, etc.
 - Insubordination, such as willfully disobeying the instructions of an authorized person-in-charge

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- Possession, use, or sale of alcohol or illegal drugs while on District time or property, or being under the influence of drugs or alcohol in said circumstances
- Abandonment of position

- 4.3.4 The District may therefore omit any of the steps and proceed directly to discharge when such serious incidents occur.
- 4.3.5 The principles of just cause apply to termination but not to other levels of discipline.
- 4.3.6 Employees covered under a collective bargaining agreement that were originally scheduled to work on a specific date and time as part of their regular, normal work schedule, and who have exchanged a shift with another employee, shall remain responsible for that originally scheduled shift. If the firefighter who agreed to work the exchange fails to report for work for any reason, it shall be the responsibility of the employee who was originally scheduled to work that shift to ensure that he/she or another equally qualified employee fills that shift.
- 4.3.7 Employees covered under a collective bargaining agreement where such an agreement permits the exchange of scheduled work shifts between employees and where an exchange has been approved, and yet the employee fails to report to work as scheduled, shall be disciplined. The failure to report to work for the exchanged shift shall be deemed a violation of Section 4.2, Basic Rules of Conduct, sub-section 4.2.1 of this policy.
- 4.3.8 Employees covered under the shift exchange provisions of a collective bargaining agreement, and who fail to report for duty as scheduled for that exchange, shall have the cost of replacement (the total number of hours paid by the fire district for a replacement) deducted from that employee's vacation accrual, and the district shall adjust the annual work schedule accordingly. The district shall have the right to identify the vacation period to be deducted.
- 4.3.9 Prior to imposition of discipline other than verbal counseling, and upon the employee's request, the employee shall be provided a copy of the alleged violation and all relevant documents that the District has in its possession. The District shall attempt to notify an employee of an investigation into potential misconduct, unless the District determines that such notification violates a need

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for confidentiality. The District shall allow an employee the opportunity to give his/her side of the issue before imposing discipline.

4.3.10 An employee may, at the District's discretion, be placed on paid administrative leave pending further investigation of an alleged violation.

4.3.11 A represented employee, upon his/her request, shall have the right to have union representation present at any meeting held with the District to discuss any potential disciplinary action.

4.4 Documentation

4.4.1 Written documentation of disciplinary action shall be maintained in the employee's personnel file.

4.4.2 An employee shall have the right to inspect the full contents of his/her personnel file during normal business hours of the District. The employee must arrange with the District Fire Chief or his/her designee an appropriate time to review their personnel file. The Employee agrees that the District shall not permit the Employee to review their personnel file unless a representative of the District is present during the entire inspection period.

4.4.3 District personnel files are confidential and shall be available only to those assigned with the task of maintaining personnel files and those whom the employee specifies in writing.

4.4.4 Upon the request of the employee, he/she shall be provided with a copy of documents entered into his/her personnel file, including disciplinary action. The employee may follow procedures outlined herein to challenge any document.

4.4.5 Represented employees may challenge disciplinary action in accordance with the grievance procedures outlined in the current labor contract.

5.0 Control Mechanisms

The Fire Chief shall be responsible for reviewing the Discipline policy whenever necessary, but in no instance shall such review be less than annually.

6.0 References

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- Current Local 106NW Labor Agreement

Approved: _____

Chairman, Board of Fire Commissioners
North Whatcom Fire & Rescue

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